

# Senate Calendar

FRIDAY, FEBRUARY 28, 2020

SENATE CONVENES AT: 11:30 A.M.

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**ACTION CALENDAR**

**CONSIDERATION POSTPONED UNTIL MARCH 11, 2020**

**Second Reading**

**Favorable with Recommendation of Amendment**

**S. 261.**

An act relating to eliminating life without parole.

**Reported favorably with recommendation of amendment by Senator Sears for the Committee on Judiciary.**

The Committee recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 13 V.S.A. § 2303 is amended to read:

§ 2303. PENALTIES FOR FIRST AND SECOND DEGREE MURDER

(a) Except as provided in subsection (g) of this section:

(1) The punishment for murder in the first degree shall be imprisonment for:

(A) a minimum term of not less than 35 years and a maximum term of life; ~~or~~

(B) ~~life without the possibility of parole.~~

(2) The punishment for murder in the second degree shall be imprisonment for:

(A) a minimum term of not less than 20 years and a maximum term of life; ~~or~~

(B) ~~life without the possibility of parole.~~

(3) ~~Notwithstanding any other provision of law, this subsection shall apply only if the murder was committed on or after the effective date of this act.~~

(b) The punishment for murder in the first degree shall be imprisonment for life and for a minimum term of 35 years unless a jury finds that there are aggravating or mitigating factors which justify a different minimum term. If the jury finds that the aggravating factors outweigh any mitigating factors, the court may set a minimum term longer than 35 years, up to and including life

imprisonment without parole. If the jury finds that the mitigating factors outweigh any aggravating factors, the court may set a minimum term at less than 35 years but not less than 15 years.

(c) The punishment for murder in the second degree shall be imprisonment for life and for a minimum term of 20 years unless a jury finds that there are aggravating or mitigating factors which justify a different minimum term. If the jury finds that the aggravating factors outweigh any mitigating factors, the court may set a minimum term longer than 20 years, up to and including life imprisonment without parole. If the jury finds that the mitigating factors outweigh any aggravating factors, the court may set a minimum term at less than 20 years but not less than 10 years.

\* \* \*

(g) Subsections (b)-(f) of this section shall apply only if the murder was committed before ~~the effective date of this act~~ May 1, 2006, and:

(1) the defendant was not sentenced before ~~the effective date of this act~~ May 1, 2006; or

(2) the defendant's sentence was stricken and remanded for resentencing pursuant to the Vermont Supreme Court's decision in State v. Provost, 2005 VT 134 (2005).

Sec. 2. 13 V.S.A. § 7045 is amended to read:

§ 7045. LIFE WITHOUT PAROLE SENTENCE ~~PROHIBITED FOR~~  
~~PERSONS UNDER 18 YEARS OF AGE~~

A court shall not sentence a person to life imprisonment without the possibility of parole if:

(1) the person was under 18 years of age at the time of the commission of ~~the~~ any offense; or

(2) the person committed any offense other than aggravated murder.

Sec. 3. 28 V.S.A. § 501 is amended to read:

§ 501. ELIGIBILITY FOR PAROLE CONSIDERATION

(a) An inmate serving any sentence other than life without the possibility of parole shall be eligible for parole consideration upon serving 35 years.

(b) An inmate who is serving a sentence of imprisonment shall be eligible for parole consideration as follows:

(1) If the inmate's sentence has no minimum term or a zero minimum term, the inmate shall be eligible for parole consideration within 12 months after commitment to a correctional facility.

(2) If the inmate's sentence has a minimum term, the inmate shall be eligible for parole consideration after the inmate has served the minimum term of the sentence or after the inmate has served 35 years, whichever occurs first.

#### Sec. 4. EFFECTIVE DATE

This act shall take effect on July 1, 2020.

And that after passage the title of the bill be amended to read:

An act relating to limiting the sentence of life without the possibility of parole.

(Committee vote: 3-2-0)

### UNFINISHED BUSINESS OF JANUARY 7, 2020

#### GOVERNOR'S VETOES

##### S. 37.

An act relating to medical monitoring.

**Pending question (to be voted by call of the roll):** Shall the bill pass, notwithstanding the Governor's refusal to approve the bill? (Two-thirds of the members present required to override the Governor's veto.)

(For text of veto message, see Senate Calendar for January 7, 2020, page 1.)

##### S. 169.

An act relating to firearms procedures.

**Pending question (to be voted by call of the roll):** Shall the bill pass, notwithstanding the Governor's refusal to approve the bill? (Two-thirds of the members present required to override the Governor's veto.)

(For text of veto message, see Senate Calendar for January 7, 2020, page 9.)

### UNFINISHED BUSINESS OF FEBRUARY 27, 2020

#### Third Reading

##### S. 336.

An act relating to establishing standards for the sale of hemp seed.

## Second Reading

### Favorable with Recommendation of Amendment

#### S. 281.

An act relating to the Working Group on the Status of Libraries in Vermont.

**Reported favorably with recommendation of amendment by Senator Hardy for the Committee on Education.**

The Committee recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

#### Sec. 1. WORKING GROUP ON THE STATUS OF LIBRARIES IN VERMONT; REPORT

(a) Creation. There is created the Working Group on the Status of Libraries in Vermont to study and report on the statewide status of Vermont's libraries. The Working Group is formed with the intent of strengthening and supporting libraries of all sizes and improving library services for the public.

(b) Membership. The Working Group shall be composed of the following members:

(1) the State Librarian;

(2) the President of the Vermont Library Association or designee;

(3) the Executive Director of the Vermont Humanities Council or designee;

(4) three representatives of public libraries, who shall be from libraries of different sizes and from different regions of the State, appointed by the State Librarian;

(5) two representatives of public school libraries, who shall be from schools of different sizes and from different regions of the State, appointed by the Secretary of Education;

(6) two representatives of college and university libraries, appointed by the President of the College and Special Libraries Section of the Vermont Library Association; and

(7) one public library trustee, appointed by the President of the Friends and Trustees Section of the Vermont Library Association.

(c) Powers and Duties. The Working Group shall study:

(1) library services for specific segments of the Vermont population, including senior citizens, individuals with disabilities, youths and children, immigrant and migrant communities, and people living in poverty;

(2) the role that libraries play in emergency preparedness, cultural diversity and inclusion, public health and safety, community identity and resiliency, economic development, and access to public programs and services; and

(3) the current overall status of Vermont libraries, which may include information related to programming, collections, facilities, technology, and staffing.

(A) Programming. The Working Group may study the types and frequency of library programs, attendance at library programs, and whether library programs are meeting community needs. The study of programming may include an assessment of public engagement and outreach surrounding library programming, as well as the opportunities for nonlibrary programs and groups to access Vermont libraries.

(B) Collections. The Working Group may study the size and diversity of library holdings and assess the strengths and gaps in materials available to Vermonters. The study of collections may include an assessment of how libraries may best share resources across differing libraries and communities, whether libraries offer community-specific resources, and whether libraries maintain special collections or historical artifacts.

(C) Facilities. The Working Group may study whether library facilities and buildings could be improved with regard to energy efficiency, accessibility, flexibility, human health and safety, historic preservation, and intergenerational needs.

(D) Technology. The Working Group may study whether Vermont libraries have sufficient access to basic technological resources, cyber-security resources, high-speed Internet, electronic catalogs, interlibrary loan and other interoperable systems, and appropriate hardware and software.

(E) Staff. The Working Group may study staffing levels at Vermont libraries, whether staffing levels are sufficient to meet community needs, whether library staff compensation and benefits are sufficient, how libraries rely on volunteers, and what resources are available for workforce development and training of library staff.

(d) Public Input. As part of the study and report, the Working Group shall solicit feedback from the general public and library users around the State. The Working Group may examine models for library management and

organization in other states, including the formation of statewide service networks.

(e) Consultation with the Board of Libraries. The Working Group may solicit feedback from the Board of Libraries.

(f) Assistance. The Working Group shall have the administrative, technical, and legal assistance of the Department of Libraries. For purposes of scheduling meetings and preparing recommended legislation, the Working Group shall have the assistance of the Office of Legislative Council.

(g) Report. On or before November 1, 2021, the Working Group shall submit a report to the House and Senate Committees on Education. The report shall contain:

(1) specific and detailed findings and proposals concerning the issues set forth in subsection (c) of this section;

(2) recommendations for updating the statutes, rules, standards, and the governance structures of Vermont libraries to ensure equitable access for Vermont residents, efficient use of resources, and quality in the provision of services;

(3) recommendations related to the funding needs of Vermont libraries, including capital, ongoing, and special funding, and an assessment of whether there is a need for State aid and, if so, the amounts that may be distributed; and

(4) any other information or recommendations that the Working Group may deem necessary.

(h) Meetings.

(1) The State Librarian shall be the Chair of the Working Group.

(2) The Chair shall call the first meeting of the Working Group to occur within 45 days after the effective date of this act.

(3) A majority of the membership shall constitute a quorum.

(4) The Working Group shall cease to exist on December 1, 2021.

(i) Compensation and reimbursement. Members of the Working Group shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than 12 meetings. These payments shall be made from the General Fund.

## Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

(Committee vote: 5-0-1)



**Reported favorably with recommendation of amendment by Senator McCormack for the Committee on Appropriations.**

The Committee recommends that the bill be amended as recommended by the Committee on Education with the following amendments thereto:

First: In Sec. 1, Working Group on the Status of Libraries in Vermont; report, in subsection (f), immediately following the first sentence, by striking out the sentence “For purposes of scheduling meetings and preparing recommended legislation, the Working Group shall have the assistance of the Office of Legislative Council.”

Second: In Sec. 1, Working Group on the Status of Libraries in Vermont; report, in subdivision (g)(3), immediately following the words “and special funding” by striking out “, and an assessment of whether there is a need for State aid and, if so, the amounts that may be distributed”.

Third: In Sec. 1, Working Group on the Status of Libraries in Vermont; report, by striking out subsection (i) in its entirety and inserting in lieu thereof the following:

(i) Compensation and reimbursement. Members of the Working Group shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than 12 meetings. These payments shall be made from monies appropriated to the Department of Libraries.

(j) Appropriation. The sum of \$4,000.00 is appropriated to Department of Libraries from the General Fund in fiscal year 2021 for per diem compensation and reimbursement of expenses for members of the Working Group.

(Committee vote: 6-0-1)

**S. 296.**

An act relating to limiting out-of-pocket expenses for prescription insulin drugs.

**Reported favorably with recommendation of amendment by Senator Balint for the Committee on Finance.**

The Committee recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 8 V.S.A. § 4089i is amended to read:

§ 4089i. PRESCRIPTION DRUG COVERAGE

\* \* \*

(h)(1) A health insurance or other health benefit plan offered by a health insurer or pharmacy benefit manager shall limit a beneficiary's total out-of-pocket responsibility for prescription insulin medications to not more than \$100.00 per 30-day supply, regardless of the amount, type, or number of insulin medications prescribed for the beneficiary.

(2) The \$100.00 monthly limit on out-of-pocket spending for prescription insulin medications set forth in subdivision (1) of this subsection shall apply regardless of whether the beneficiary has satisfied any applicable deductible requirement under the health insurance or health benefit plan.

(i) As used in this section:

\* \* \*

(7) "Prescription insulin medication" means a prescription medication that contains insulin and is used to treat diabetes.

(i)(j) The Department of Financial Regulation shall enforce this section and may adopt rules as necessary to carry out the purposes of this section.

## Sec. 2. EFFECTIVE DATE

This act shall take effect on January 1, 2021 and shall apply to health insurance and other health benefit plans on or after January 1, 2021 on such date as a health insurer or pharmacy benefit manager issues, offers, or renews the plan, but in no event later than January 1, 2022.

(Committee vote: 6-0-1)

### **Joint Resolution for Action**

#### **J.R.S. 43.**

Joint resolution providing for a Joint Assembly to vote on the retention of five Superior Judges and one Environmental Judges.

**PENDING QUESTION:** Shall the resolution be adopted?

#### **Text of resolution:**

That the two Houses meet in Joint Assembly on Thursday, March 19, 2020, at ten o'clock and thirty minutes in the forenoon to vote on the retention of five Superior Judges and one Environmental Judge. In case the vote to retain said Judges shall not be made on that day, the two Houses shall meet in Joint Assembly at ten o'clock and thirty minutes in the forenoon on each succeeding day, Saturdays and Sundays excepted, and proceed until the above is completed.

**NEW BUSINESS**

**Second Reading**

**Favorable with Recommendation of Amendment**

**S. 183.**

An act relating to competency to stand trial and insanity as a defense.

**Reported favorably with recommendation of amendment by Senator White for the Committee on Judiciary.**

The Committee recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 13 V.S.A. § 4816 is amended to read:

§ 4816. SCOPE OF EXAMINATION; REPORT; EVIDENCE

(a) Examinations provided for in section 4815 of this title shall have reference to one or both of the following:

(1) ~~mental~~ Mental competency of the person examined to stand trial for the alleged offense; ~~and~~.

(2) ~~sanity~~ Sanity of the person examined at the time of the alleged offense.

(b) A competency evaluation for an individual thought to have a developmental disability shall include a current evaluation by a psychologist skilled in assessing individuals with developmental disabilities.

(c)(1) As soon as practicable after the examination has been completed, the examining psychiatrist or psychologist, ~~if applicable~~, shall prepare a report containing findings in regard to ~~each of the applicable matters listed in provisions of subsection (a) of this section~~. The report shall be transmitted to the court issuing the order for examination, and copies of the report sent to the State's Attorney, ~~and~~, to the respondent's attorney if the respondent is represented by counsel, ~~and to the Commissioner of Mental Health~~.

(2) If the psychiatrist or psychologist has been asked to provide opinions as to both the person's competency to stand trial and the person's sanity at the time of the alleged offense, those opinions shall be presented in separate reports, and addressed separately by the court. In such cases, the examination of the person's sanity shall only be undertaken if the psychiatrist or psychologist is able to form the opinion that the person is competent to stand trial.

\* \* \*

Sec. 2. 13 V.S.A. § 4820 is amended to read:

§ 4820. HEARING REGARDING COMMITMENT

(a) When a person charged on information, complaint, or indictment with a criminal offense:

(1) Is reported by the examining psychiatrist following examination pursuant to sections 4814–4816 of this title to have been insane at the time of the alleged offense.

(2) Is found upon hearing pursuant to section 4817 of this title to be incompetent to stand trial due to a mental disease or mental defect.

(3) Is not indicted upon hearing by grand jury by reason of insanity at the time of the alleged offense, duly certified to the court.

(4) Upon trial by court or jury is acquitted by reason of insanity at the time of the alleged offense; the court before which such person is tried or is to be tried for such offense, shall hold a hearing for the purpose of determining whether such person should be committed to the custody of the Commissioner of Mental Health. Such person may be confined in jail or some other suitable place by order of the court pending hearing for a period not exceeding 15 days.

(b) When a person is found to be incompetent to stand trial pursuant to subdivision (a)(2) of this section, has not been indicted by reason of insanity for the alleged offense, or has been acquitted by reason of insanity at the time of the alleged offense, the court shall appoint counsel from Vermont Legal Aid to represent the person who is the subject of the proceedings. The Department of Mental Health shall be entitled to appear and call witnesses at the proceeding and be represented by the Office of the Attorney General.

Sec. 3. 13 V.S.A. § 4822 is amended to read:

§ 4822. FINDINGS AND ORDER; PERSONS WITH A MENTAL ILLNESS

(a) If the court finds that the person is a person in need of treatment or a patient in need of further treatment as defined in 18 V.S.A. § 7101, the court shall issue an order of commitment directed to the Commissioner of Mental Health that shall admit the person to the care and custody of the Department of Mental Health for an indeterminate period. In any case involving personal injury or threat of personal injury, the committing court may issue an order requiring a court hearing before a person committed under this section may be discharged from custody.

(b) An order of commitment issued pursuant to this section shall have the same force and effect as an order issued under 18 V.S.A. §§ 7611–7622, and a person committed under this order shall have the same status and the same

rights, including the right to receive care and treatment, to be examined and discharged, and to apply for and obtain judicial review of his or her case, as a person ordered committed under 18 V.S.A. §§ 7611–7622.

(c)(1) Notwithstanding the provisions of subsection (b) of this section, at least 10 days prior to the proposed discharge of any person committed under this section, the Commissioner of Mental Health shall give notice of the discharge to the committing court and State’s Attorney of the county where the prosecution originated. In all cases requiring a hearing prior to discharge of a person found incompetent to stand trial under section 4817 of this title, the hearing shall be conducted by the committing court issuing the order under that section. In all other cases, when the committing court orders a hearing under subsection (a) of this section or when, in the discretion of the Commissioner of Mental Health, a hearing should be held prior to the discharge, the hearing shall be held in the Family Division of the Superior Court to determine if the committed person is no longer a person in need of treatment or a patient in need of further treatment as set forth in subsection (a) of this section. Notice of the hearing shall be given to the Commissioner, the State’s Attorney of the county where the prosecution originated, the committed person, and the person’s attorney. Prior to the hearing, the State’s Attorney may enter an appearance in the proceedings and may request examination of the patient by an independent psychiatrist, who may testify at the hearing.

(2)(A) This subdivision (2) shall apply when a person is committed to the care and custody of the Commissioner of Mental Health under this section after having been found not guilty by reason of insanity or incompetent to stand trial for a listed crime as defined in subdivision 5301(7) of this title other than:

(i) lewd or lascivious conduct as defined in section 2601 of this title;

(ii) recklessly endangering another person as defined in section 1025 of this title;

(iii) operating a vehicle under the influence of alcohol or other substance with either death or serious bodily injury resulting as defined in 23 V.S.A. § 1210(f) and (g);

(iv) careless or negligent operation resulting in serious bodily injury or death as defined in 23 V.S.A. § 1091(b);

(v) leaving the scene of an accident resulting in serious bodily injury or death as defined in 23 V.S.A. § 1128(b) or (c); or

(vi) a misdemeanor violation of chapter 28 of this title, relating to abuse, neglect, and exploitation of vulnerable adults.

(B) At least 10 days prior to discharging the person from a secure mental health treatment facility or from the care and custody of the Commissioner of Mental Health, the Commissioner shall provide notice of the proposed action to the State's Attorney of the county where the prosecution originated or to the Office of the Attorney General if that office prosecuted the case. The State's Attorney shall provide notice of the proposed action to any victim of the offense who has not opted out of receiving notice.

(C) As used in this subdivision (2), "victim" has the same meaning as in section 5301 of this title.

\* \* \*

Sec. 4. Vermont Rule of Criminal Procedure 16.1 is amended to read:

#### RULE 16.1. DISCLOSURE TO THE PROSECUTION

(a) The Person of the Defendant.

(1) Notwithstanding the initiation of judicial proceedings, and subject to constitutional limitations, upon motion and notice a judicial officer may require the defendant to:

\* \* \*

(H) provide specimens of his handwriting; ~~and~~

(I) submit to a reasonable physical or medical inspection of his body or, if notice is given by the defendant that sanity is in issue or that expert testimony will be offered as provided in Rule 12.1, to a reasonable mental examination by a psychiatrist or other expert; and

(J) submit to a reasonable mental examination by a psychiatrist or other expert when a court ordered examiner pursuant to 13 V.S.A. § 4814(a)(2) or (4) reports that a defendant is not competent to stand trial.

\* \* \*

#### Sec. 5. CORRECTIONS; ASSESSMENT OF MENTAL HEALTH SERVICES

On or before November 1, 2020, the Departments of Corrections and of Mental Health shall jointly submit an inventory and evaluation of the mental health services provided by the entity with whom the Department of Corrections contracts for health care services to the House Committees on Corrections and Institutions, on Health Care, and on Judiciary and to the

Senate Committees on Health and Welfare and on Judiciary. The evaluation shall include a comparison as to how the type, frequency, and timeliness of mental health services provided in a correctional setting differ from those services available in the community. The evaluation shall further address how the memorandum of understanding executed by the Departments of Corrections and of Mental Health impacts the mental health services provided by the entity with whom the Department of Corrections contracts for health care services.

#### Sec. 6. FORENSIC CARE WORKING GROUP

(a) On or before August 1, 2020, the Department of Mental Health shall convene a working group of interested stakeholders, including as appropriate, the Department of Corrections, the Department of State's Attorneys and Sheriffs, the Office of the Attorney General, the Office of the Defender General, the Director of Health Care Reform, the Department of Buildings and General Services, a representative appointed by Vermont Care Partners, a representative appointed by Vermont Legal Aid's Mental Health Project, the Mental Health Care Ombudsman established pursuant to 18 V.S.A. § 7259, a representative of the designated hospitals appointed by the Vermont Association of Hospitals and Health Care Systems, a person with lived experience of mental illness, and any other interested party permitted by the Commissioner of Mental Health, to:

(1) Identify any gaps in the current mental health and criminal justice system structure and opportunities to improve public safety and the coordination of treatment for individuals incompetent to stand trial or who are adjudicated not guilty by reason of insanity. The working group shall review competency restoration models used in other states and explore models used in other states that balance the treatment and public safety risks posed by individuals found not guilty by reason of insanity, such as Psychiatric Security Review Boards, including the Connecticut Psychiatric Security Review Board, and guilty but mentally ill verdicts in criminal cases.

(2) Evaluate various models for the establishment of a State-funded forensic treatment facility for individuals found incompetent to stand trial or who are adjudicated not guilty by reason of insanity. The evaluation shall address:

(A) the need for a forensic treatment facility in Vermont;

(B) the entity or entities most appropriate to operate a forensic treatment facility;

(C) the feasibility and appropriateness of repurposing an existing facility for the purpose of establishing a forensic treatment facility versus constructing a new facility for this purpose;

(D) the number of beds needed in a forensic treatment facility and the impact that repurposing an existing mental health treatment facility would have on the availability of beds for persons seeking mental health treatment in the community or through the civil commitment system; and

(E) the fiscal impact of constructing or repurposing a forensic treatment facility and estimated annual operational costs considering “institutions of mental disease” waivers available through the Center for Medicare and Medicaid Services that do not provide federal fiscal participation for forensic mental health patients.

(b) On or before November 1, 2020, the Department of Mental Health shall submit a report containing the findings and recommendations of the working group to the Joint Legislative Justice Oversight Committee. The report shall include proposed draft legislation addressing any identified needed changes to statute.

#### Sec. 7. EFFECTIVE DATE

This act shall take effect on July 1, 2020.

(Committee vote: 5-0-0)

### S. 205.

An act relating to criminal and civil surcharges.

**Reported favorably with recommendation of amendment by Senator Baruth for the Committee on Judiciary.**

The Committee recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 13 V.S.A. § 7282 is amended to read:

#### § 7282. SURCHARGE

(a) In addition to any penalty or fine imposed by the court or Judicial Bureau for a criminal offense or any civil penalty imposed for a traffic violation, including any violation of a fish and wildlife statute or regulation, violation of a motor vehicle statute, or violation of any local ordinance relating to the operation of a motor vehicle, except violations relating to seat belts and child restraints and ordinances relating to parking violations, the clerk of the court or Judicial Bureau shall levy an additional surcharge of:

\* \* \*



(b) The surcharges imposed by this section shall not be waived by the court except as part of an expungement proceeding where the petitioner demonstrates an inability to pay.

\* \* \*

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2020.

(Committee vote: 5-0-0)

**S. 307.**

An act relating to binding interest arbitration for employees of the Vermont Judiciary and the Vermont State Colleges.

**Reported favorably with recommendation of amendment by Senator Pollina for the Committee on Government Operations.**

The Committee recommends that the bill be amended by striking out Sec. 1, 3 V.S.A. § 925, in its entirety and inserting in lieu thereof:

Sec. 1. [Deleted.]

And that after passage the title of the bill be amended to read:

An act relating to binding interest arbitration for employees of the Vermont Judiciary.

(Committee vote: 5-0-0)

**NOTICE CALENDAR**

**Second Reading**

**Favorable with Recommendation of Amendment**

**S. 226.**

An act relating to statewide public school employee health benefits.

**Reported favorably with recommendation of amendment by Senator Baruth for the Committee on Education.**

The Committee recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 16 V.S.A. § 2101 is amended to read:

§ 2101. DEFINITIONS

As used in this chapter:

(1) “Participating employee” means a school employee who is eligible for and has elected to receive health benefit coverage through a school employer.

(2) “School employee” means:

(A) includes the following individuals:

(i) an individual employed by a ~~supervisory union or school district~~ employer as a teacher or administrator as defined in section 1981 of this title; ~~or~~

(ii) a municipal school employee as defined in 21 V.S.A. § 1722;

(iii) an individual employed as a supervisor as defined in 21 V.S.A. § 1502;

(iv) a confidential employee as defined in 21 V.S.A. § 1722;

(v) a certified employee of a school employer; and

(vi) any other permanent employee of a school employer not covered by subdivisions (i)-(v) of this subdivision (2); and

(B) notwithstanding subdivision (A) of this subdivision (2), excludes individuals who serve in the role of superintendent.

(3) “School employer” means a supervisory union or school district as those terms are defined in section 11 of this title.

Sec. 2. 16 V.S.A. § 2102 is amended to read:

§ 2102. COMMISSION ON PUBLIC SCHOOL EMPLOYEE HEALTH  
BENEFITS CREATED

(a) Commission created. There is created an independent commission to be called the Commission on Public School Employee Health Benefits (Commission) to determine, in accordance with section 2103 of this chapter, the amounts of the premiums and out-of-pocket expenses for school employee health benefits that shall be borne by school employers and by participating employees.

(b) Composition and appointment.

(1) The Commission shall have 10 members, of whom five shall be representatives of school employees and five shall be representatives of school employers.

(2)(A) The representatives of school employees shall be appointed as follows:

(i) four members appointed by the labor organization representing the greatest number of ~~teachers, administrators, and municipal~~ school employees in this State; and

(ii) one member appointed by the labor organization representing the second-greatest number of ~~teachers, administrators, and municipal~~ school employees in this State.

(B) The five representatives of school employers shall be appointed by the organization representing the majority of ~~the~~ public school boards in this State.

(C) The appointing authorities shall select appointees who have an understanding of health care and employer-employee relations and who demonstrate a willingness to work collaboratively.

(D) The term of each member of the Commission shall be six years, provided that of the members first appointed by the labor organization described in subdivision (A)(i) of this subdivision (2), one appointee shall serve a term of two years and one appointee shall serve a term of four years, and of the members first appointed by the organization representing the majority of the public school boards in this State, one appointee shall serve a term of two years and one appointee shall serve a term of four years.

(3) In the event of a vacancy, the appointing authority of the member whose seat becomes vacant shall appoint a successor to serve out the remainder of the member's term.

(c) Chairs. The Commission shall be chaired jointly by one member selected biennially by the representatives of school employees and one member selected biennially by the representatives of school employers.

(d) Removal of Commission members. Members of the Commission may be removed by the Commission only for cause and may be removed by the appointing authority of the member without cause. The Commission shall adopt rules pursuant to 3 V.S.A. chapter 25 to define the basis and process for removal.

(e) Decisions. All decisions of the Commission shall require the votes of a majority of the representatives of school employees and a majority of the representatives of school employers.

(f) Compensation. Commission members shall be entitled to receive per diem compensation and reimbursement of expenses pursuant to as permitted under 32 V.S.A. § 1010 for not more than 10 meetings per year.

(g) Release time. A school district that employs a member of the Commission, or an alternate member of the Commission under subsection (j) of this section, who represents school employees or school employers shall grant the Commission member time off as necessary for the member to attend meetings of the Commission.

(h) Staffing and expenses. The Commission may hire staff as it deems necessary to carry out its duties under this chapter. Compensation for Commission staff and administrative expenses of the Commission shall be shared equally by school employers and school employees. The representatives of school employers and the representatives of school employees shall equitably apportion their share of the costs of compensation and administrative expenses among their members.

~~(h)~~(i) Rulemaking. The Commission may adopt rules or procedures, or both, pursuant to 3 V.S.A. chapter 25 as needed to carry out its duties under this chapter.

(j) Alternate members. Four alternate members may be appointed to the Commission who, if appointed, shall be entitled to attend all negotiating sessions of the Commission. Up to two alternate members may be appointed by representatives of school employees and up to two alternate members may be appointed by representatives of school employers. The term of each alternate member, if appointed, shall be six years. In the event of a vacancy, the appointing authority of the alternate member whose seat becomes vacant shall appoint a successor to serve out the remainder of the alternate member's term. Alternate members may be removed by the Commission only for cause and may be removed by the appointing authority of the alternate member without cause.

(k) Appropriations. The sum of \$17,500.00 is appropriated to the Commission from the General Fund for fiscal year 2021 for per diem compensation and reimbursement of expenses for members of the Commission. The Commission shall request the Governor to include in the Governor's annual budget request the same amount for the same purpose. Any unused appropriation in any year shall revert to the General Fund.

Sec. 3. 16 V.S.A. § 2103 is amended to read:

§ 2103. DUTIES OF THE COMMISSION

(a) The Commission shall determine the percentage of the premium for individual, two-person, parent-child, and family coverage under a health benefit plan that shall be borne by each school employer and the percentage that shall be borne by participating employees.

(1) The premium responsibility percentages shall remain in effect for the entire plan year.

(2) Each school employer shall be responsible for paying, on behalf of all of its participating school employees, the applicable percentages of premium costs as determined by the Commission.

~~(3) The premium responsibility percentages for each plan tier shall be the same for all participating employees.~~

(b)(1) The Commission shall determine the amount of school participating employees' out-of-pocket expenses for which the school employer and the school participating employees shall be responsible, and whether school employers shall establish a health reimbursement arrangement, a health savings account, both, or neither, for their participating employees.

(2) The Commission also shall determine the extent to which the employer or employee shall bear first dollar responsibility for out-of-pocket expenses if using a health reimbursement arrangement and whether the balance in a participating employee's health reimbursement arrangement shall roll over from year to year.

~~(3) The school employers' and school participating employees' responsibilities for out-of-pocket expenses for each plan tier shall be the same for all participating employees.~~

(c) The Commission may make recommendations regarding health benefit plan design to any intermunicipal insurance association that offers health benefit plans to entities providing educational services pursuant to 24 V.S.A. chapter 121, subchapter 6.

(d) The Commission shall not make any determinations regarding school employer or school participating employee responsibilities with respect to stand-alone vision or dental benefits.

(e) The Commission may negotiate a State-wide grievance procedure for disputes concerning public school employee health benefits.

Sec. 4. 16 V.S.A. § 2104 is amended to read:

§ 2104. NEGOTIATION; TIME TO BEGIN; GOOD FAITH; WRITTEN AGREEMENT

(a)(1) The Commission shall commence negotiation of the matters set forth in subsections 2103(a) and (b) of this chapter not later than April 1 of the year before the existing agreement pursuant to this section is set to expire. On or before October 1 of the year prior to commencement of bargaining, the Commission shall request from the parties any data and information that it

anticipates needing for the negotiation, in a common format, and, on or before February 1 of the year of bargaining, the parties shall submit to the Commission the information requested.

(2) The Commission shall meet together at reasonable times at the call of the Chairs and shall negotiate in good faith on all matters set forth in subsections 2103(a) and (b) of this chapter.

(3)(A) The Commission shall select a person to serve as a fact finder to assist it in resolving any matters remaining in dispute in the event that the Commission is unable to reach an agreement by August 1. The fact finder shall be selected by a vote of a majority of the representatives of school employees and of a majority of the representatives of school employers. If the Commission cannot agree on a fact finder by April 5, the American Arbitration Association shall be asked to appoint the fact finder.

(B)(i) The Commission shall mutually agree on an arbitrator by April 5 to decide all matters remaining in dispute if it is unable to reach an agreement within 30 days after receiving the fact finder's report.

(ii) If the Commission is unable to mutually agree on an arbitrator, it shall form a three-member panel of arbitrators to be selected as follows:

(I) One arbitrator shall be selected by the representatives of school employees from a list prepared by the American Arbitration Association.

(II) One arbitrator shall be selected by the representatives of school employers from a list prepared by the American Arbitration Association.

(III) The Commission shall request the services of the American Arbitration Association for the appointment of the third arbitrator.

(b)(1) The Commission shall enter into a written agreement incorporating all matters agreed to in negotiation.

(2) The terms of the agreement shall be incorporated by reference into all collective bargaining agreements for school employees.

(c) The term of each agreement shall be negotiated by the Commission but shall not be less than two years.

Sec. 5. 16 V.S.A. § 2105 is amended to read:

§ 2105. DISPUTE RESOLUTION

(a)(1) If the Commission is unable to reach agreement by August 1, the Commission shall meet with the fact finder selected pursuant to section 2104 of this chapter not later than August 15.

(2) The fact finder may schedule and hold additional meetings with the Commission as necessary. The Commission shall furnish the fact finder with all records, papers, and information in its possession pertaining to any matter remaining in dispute.

(3) The fact finder shall, before issuing his or her decision, attempt to mediate the matters remaining in dispute.

(4) If the mediation fails to produce an agreement, the fact finder shall, on or before September 15, submit a written report to the Commission recommending a reasonable basis for the settlement of the matters remaining in dispute.

(b)(1) If the Commission is unable to resolve all matters remaining in dispute within 30 days after receiving the fact finder's report, the Commission shall submit the matters remaining in dispute to the arbitrator or arbitrators selected pursuant to section 2104 of this chapter for resolution.

(2) The representatives of school employees and the representatives of school employers shall submit to the arbitrator or arbitrators their last best offer on all issues remaining in dispute prior to the arbitration hearing. The arbitrator or arbitrators shall select one of the last best offers without amendment, submitted by the parties prior to the arbitration hearing in its entirety without amendment. The parties shall not be permitted to modify their last best offers post-hearing. Prior to the issuance of the arbitrator's decision, nothing shall prohibit the parties from settling the matters in dispute.

(3)(A) The arbitrator or arbitrators shall hold a hearing on or before November 15 at which the Commission members shall submit all relevant evidence, documents, and written material, including a cost estimate for the term of the proposal with a breakdown of costs borne by employers and costs borne by employees, and each member may submit oral or written testimony in support of his or her position on any undecided issue that is subject to arbitration.

(B) In reaching a decision, the arbitrator or arbitrators shall give weight to the evidence, documents, written material, and arguments presented, as well as the following factors:

- (i) the interests and welfare of the public;
- (ii) the financial ability of the Education Fund and school districts across the State to pay for the costs of health care benefits and coverage;
- (iii) comparisons of the health care benefits of school employees with the health care benefits of similar employees in the public and private sectors in Vermont;
- (iv) the average consumer prices for goods and services commonly known as the cost of living; and
- (v) prior and existing health care benefits and coverage for school employees.

(4) The arbitrator or arbitrators shall issue their written decision within 30 days after the hearing, explaining in appropriate detail the rationale for selecting the last best offer. The decision of the arbitrator or arbitrators shall be final and binding upon the Commission and all school employees and school employers. The decision shall not be subject to ratification.

(5) Upon the petition of a Commission member within not more than 15 days following the arbitration decision, a Superior Court shall vacate the decision if:

- (A) it was procured by corruption, fraud, or other undue means;
- (B) there was evident partiality or prejudicial misconduct by the arbitrator or arbitrators;
- (C) the arbitrator or arbitrators exceeded their power or rendered a decision requiring a person to commit an act or engage in conduct prohibited by law; or
- (D) there is an absence of substantial evidence on the record as a whole to support the decision.

(6) At any time prior to the issuance of a decision by the arbitrator or arbitrators, the Commission may notify the arbitrator or arbitrators of any additional issues on which a majority of the representatives of school employees and of the representatives of school employers have reached agreement.

(7) If any provision of this subsection is inconsistent with any other provision of law governing arbitration, this subsection shall govern.

(c) The arbitrator or arbitrators shall have the authority to address complaints that either party has engaged in or is engaging in unfair bargaining practices, including a refusal to bargain in good faith. If the arbitrator or



arbitrators find upon a preponderance of the evidence that a party has engaged in or is engaging in any unfair bargaining practice, the arbitrator or arbitrators may include in the decision a remedy for the unfair bargaining practice that is consistent with the provisions of 21 V.S.A. § 1727(d).

Sec. 6. 16 V.S.A. § 2106 is amended to read:

#### § 2106. STRIKES AND CONTRACT IMPOSITION PROHIBITED

(a) School employees and the representatives of school employees shall be prohibited from engaging in a strike, as defined by 21 V.S.A. § 1722(16), in relation to the negotiation of an agreement pursuant to this chapter.

(b) The representatives of school employers shall be prohibited from imposing the terms of the agreement that is subject to this chapter.

Sec. 7. 16 V.S.A. § 2107 is amended to read:

#### § 2107. RATIFICATION OF AGREEMENT

(a) The representatives of school employers and the representatives of school employees shall each develop procedures by which their members shall ratify the agreement entered into by the Commission pursuant to this chapter within 30 days after the date of the agreement; provided, however, that if the agreement is determined by arbitration pursuant to subsection 2105(b) of this chapter, the agreement shall not be subject to ratification.

(b) In the event that either the school employers or school employees, or both, fail to ratify the agreement, the following provisions shall apply:

(1) If the Commission has not engaged in mediated fact-finding pursuant to subsection 2105(a) of this chapter during the current negotiation cycle, the Commission shall meet with the fact finder pursuant to the provisions of that subsection to settle all matters remaining in dispute. If the Commission is able to reach a new agreement, that agreement shall be submitted to the bargaining units for ratification. If, after mediated fact-finding, the Commission is unable to reach a new agreement, the Commission shall proceed to arbitration pursuant to subsection 2105(b) of this chapter.

(2) If the Commission has already engaged in mediated fact-finding pursuant to subsection 2105(a) of this chapter during the current negotiation cycle, the Commission shall proceed to arbitration pursuant to subsection 2105(b) of this chapter.

Sec. 8. EFFECTIVE DATE

This act shall take effect on passage.

(Committee vote: 5-0-1)

**S. 243.**

An act relating to establishing the Emergency Service Provider Wellness Commission.

**Reported favorably with recommendation of amendment by Senator Cummings for the Committee on Health and Welfare.**

The Committee recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 18 V.S.A. § 7257b is added to read:

§ 7257b. EMERGENCY SERVICE PROVIDER WELLNESS  
COMMISSION

(a) As used in this section:

(1) “Chief executive of an emergency service provider organization” means a person in charge of an organization that employs or supervises emergency service providers in their official capacity.

(2) “Emergency service provider” means a person:

(A) currently or formerly recognized by a Vermont Fire Department as a firefighter;

(B) currently or formerly licensed by the Department of Health as an emergency medical technician, emergency medical responder, advanced emergency medical technician, or paramedic;

(C) currently or formerly certified as a law enforcement officer by the Vermont Criminal Justice Training Council, including constables and sheriffs;

(D) currently or formerly employed by the Department of Corrections as a probation, parole, or correctional facility officer; or

(E) currently or formerly certified by the Vermont Enhanced 911 Board as a 911 call taker or employed as an emergency communications dispatcher providing service for an emergency service provider organization.

(3) “Licensing entity” means a State entity that licenses or certifies an emergency service provider.

(b) There is created the Emergency Service Provider Wellness Commission within the Agency of Human Services for the following purposes:

(1) to identify where increased or alternative supports or strategic investments within the emergency service provider community, designated or specialized service agencies, or other community service systems could

improve the physical and mental health outcomes and overall wellness of emergency service providers;

(2) to identify how Vermont can increase capacity of qualified clinicians in the treatment of emergency service providers to ensure that the services of qualified clinicians are available throughout the State without undue delay;

(3) to create materials and information, in consultation with the Department of Health, including a list of qualified clinicians, for the purpose of populating an electronic emergency service provider wellness resource center on the Department of Health's website;

(4) to educate the public, emergency service providers, State and local governments, employee assistance programs, and policymakers about best practices, tools, personnel, resources, and strategies for the prevention and intervention of the effects of trauma experienced by emergency service providers and law enforcement officers;

(5) to identify gaps and strengths in Vermont's system of care for emergency service providers;

(6) to recommend how peer support services and qualified clinician services can be delivered regionally or statewide;

(7) to recommend how to support emergency service providers in communities that are resource challenged, remote, small, or rural;

(8) to recommend policies, practices, training, legislation, rules, and services that will increase successful interventions and support for emergency service providers to improve health outcomes, job performance, and personal well-being and reduce health risks, violations of employment, and violence associated with the impact of untreated trauma, including whether to amend Vermont's employment medical leave laws to assist volunteer emergency service providers in recovering from the effects of trauma experienced while on duty; and

(9) to consult with federal, State, and municipal agencies, organizations, entities, and individuals in order to make any other recommendations the Commission deems appropriate.

(c)(1) The Commission shall comprise the following members:

(A) the Chief of Training of the Vermont Fire Academy or designee;

(B) a representative, appointed by the Vermont Criminal Justice Training Council;

(C) the Commissioner of Health or designee;

- (D) the Commissioner of Public Safety or designee;
- (E) the Commissioner of the Department of Corrections or designee;
- (F) the Commissioner of Mental Health or designee;
- (G) the Commissioner of Human Resources or designee;
- (H) a law enforcement officer who is not a chief or sheriff, appointed by the President of the Vermont Police Association;
- (I) a representative, appointed by the Vermont Association of Chiefs of Police;
- (J) a representative, appointed by the Vermont Sheriffs' Association;
- (K) a volunteer firefighter, appointed by the Vermont State Firefighters' Association;
- (L) a representative of the designated and specialized service agencies, appointed by Vermont Care Partners;
- (M) a representative, appointed by the Vermont State Employees Association;
- (N) a representative, appointed by the Vermont Troopers' Association;
- (O) a professional firefighter, appointed by the Professional Firefighters of Vermont;
- (P) a clinician associated with a peer support program who has experience in treating workplace trauma, appointed by the Governor;
- (Q) a professional emergency medical technician or paramedic, appointed by the Vermont State Ambulance Association;
- (R) a volunteer emergency medical technician or paramedic, appointed by the Vermont State Ambulance Association;
- (S) a person who serves or served on a peer support team, appointed by the Governor;
- (T) a representative, appointed by the Vermont League of Cities and Towns;
- (U) a Chief, appointed by the Vermont Career Fire Chiefs Association;
- (V) a Chief, appointed by the Vermont Fire Chiefs Association; and

(W) a representative, appointed by the Vermont Association for Hospitals and Health Systems.

(2) The members of the Commission specified in subdivision (1) of this subsection shall serve three-year terms. Any vacancy on the Commission shall be filled in the same manner as the original appointment. The replacement member shall serve for the remainder of the unexpired term.

(3) Commission members shall recuse themselves from any discussion of an event or circumstance that the member believes may involve an emergency service provider known by the member and shall not access any information related to it. The Commission may appoint an interim replacement member to fill the category represented by the recused member for review of that interaction.

(d)(1) The Commissioner of Health or designee shall call the first meeting of the Commission to occur on or before September 30, 2020.

(2) The Commission shall select a chair and vice chair from among its members at the first meeting and annually thereafter.

(3) The Commission shall meet at such times as may reasonably be necessary to carry out its duties, but at least once in each calendar quarter.

(4) The Department of Health shall provide technical, legal, and administrative assistance to the Commission.

(e) The proceedings and records of the Commission describing or referring to circumstances or an event involving an emergency service provider, regardless of whether the emergency service provider is identified by name, are confidential and are not subject to subpoena, discovery, or introduction into evidence in a civil or criminal action. The Commission shall not use the information, records, or data for purposes other than those designated by this section.

(f) Commission meetings are confidential and shall be exempt from 1 V.S.A. chapter 5, subchapter 2 (the Vermont Open Meeting Law) when the Commission is discussing circumstances or an event involving a specific emergency service provider regardless of whether that person is identified by name. Except as set forth in subsection (e) of this section, Commission records are exempt from public inspection and copying under the Public Records Act and shall be kept confidential.

(g) To the extent permitted under federal law, the Commission may enter into agreements with agencies, organizations, and individuals to obtain otherwise confidential information.

(h) Notwithstanding 2 V.S.A. § 20(d), the Commission shall report its conclusions and recommendations to the Governor and General Assembly as the Commission deems necessary, but not less frequently than once per calendar year. The report shall disclose individually identifiable health information only to the extent necessary to convey the Commission's conclusions and recommendations, and any such disclosures shall be limited to information already known to the public. The report shall be available to the public through the Department of Health.

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2020.

(Committee vote: 4-0-1)

**S. 302.**

An act relating to establishing a mental health mobile response unit pilot program in the city of Rutland.

**Reported favorably with recommendation of amendment by Senator Lyons for the Committee on Health and Welfare.**

The Committee recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. PILOT; MENTAL HEALTH RESPONSE UNIT

(a) In fiscal year 2021, the General Assembly shall appropriate \$400,000.00 from the General Fund to the Department of Mental Health for the purpose of implementing a pilot program in Rutland County that provides additional supports for mobile response and stabilization services to children, youths, and families. Appropriated monies shall be used to pay for program staff and services that support direct, in-person responses to family crises, such as interventions for children or youths and their families, before emotional and behavioral difficulties escalate.

(b) On or before January 15, 2022, the Department of Mental Health shall submit a report to the House Committee on Health Care and to the Senate Committee on Health and Welfare regarding the results of the pilot program established in this section and any related recommendations, including whether the pilot program should be considered for statewide adoption.

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2020.

And that after passage the title of the bill be amended to read:

An act relating to establishing a mental health mobile response unit pilot program in Rutland County.

(Committee vote: 4-0-1)

**CONCURRENT RESOLUTIONS FOR ACTION**

**Concurrent Resolutions For Action Under Joint Rule 16**

The following joint concurrent resolutions have been introduced for approval by the Senate and House. They will be adopted by the Senate unless a Senator requests floor consideration before the end of the session. Requests for floor consideration should be communicated to the Secretary's Office.

**H.C.R. 266 - 286** (For text of Resolutions, see Addendum to House Calendar for February 27, 2020)

**CONFIRMATIONS**

The following appointments will be considered by the Senate, as a group, under suspension of the Rules, as moved by the President *pro tempore*, for confirmation together and without debate, by consent thereby given by the Senate. However, upon request of any senator, any appointment may be singled out and acted upon separately by the Senate, with consideration given to the report of the Committee to which the appointment was referred, and with full debate; and further, all appointments for the positions of Secretaries of Agencies, Commissioners of Departments, Judges, Magistrates, and members of the Public Utility Commission shall be fully and separately acted upon.

Craig Bolio of Winooski – Commissioner, Department of Taxes – By Sen. Cummings for the Committee on Finance. (01/21/20)

Michael Schirling of Burlington – Commissioner, Department of Public Safety – Sen. Mazza for the Committee on Transportation. (01/29/20)

Michael K. Smith of Westford – Secretary, Agency of Human Services – Sen. Lyons for the Committee on Health and Welfare. (02/12/02)

Sabina Brochu of Williston - Member, State Board of Education - By Sen. Ingram for the Committee on Education. (01/24/20)

Kyle Courtois of Georgia - Member, State Board of Education - By Sen. Perchlik for the Committee on Education. (01/24/20)

Margaret Tandoh of South Burlington – Member, Board of Medical Practice – By Sen. McCormack for the Committee on Health and Welfare. (02/11/20)

Holly Morehouse of Burlington – Member, Children and Family Council for Prevention Programs – By Sen. Lyons for the Committee on Health and Welfare. (02/12/20)

Susan Hayward of Middlesex – Member, Capitol Complex Commission – By Sen. Benning for the Committee on Institutions. (02/14/20)

Heather Shouldice – Member, Capitol Complex Commission – By Sen. Benning for the Committee on Institutions. (02/14/20)

Dorinne Dorfman – Member, Children and Family Council for Prevention Programs – Sen. Cummings for the Committee on Health and Welfare. (02/25/20)

Richard Bernstein of Jericho – Member, Board of Medical Practice – Sen. Ingram for the Committee on Health and Welfare. (03/10/20)

Dawn Philibert of Williston – Member, State Board of Health – Sen. Ingram for the Committee on Health and Welfare. (03/10/20)

#### **PUBLIC HEARINGS**

**March 11, 2020 - 4:00 p.m. - 6:00 p.m.** - Room 11 - Re: Re: Pupil weighting study - Senate Committee on Education.

**March 19, 2020 - 5:00 p.m. - 7:00 p.m.** - Vermont Law School Campus, Oakes 107, Royalton, VT - Re: State Code of Ethics - Senate Committee on Government Operations.

#### **FOR INFORMATION ONLY**

#### **CROSSOVER DATES**

The Joint Rules Committee established the following Crossover deadlines:

(1) All **Senate/House** bills must be reported out of the last committee of reference (including the Committees on Appropriations and Finance/Ways and Means, except as provided below in (2) and the exceptions listed below) on or before **Friday, March 13, 2020**, and filed with the Secretary/Clerk so they may be placed on the Calendar for Notice the next legislative day – Committee bills must be voted out of Committee by Friday March 13, 2020.



(2) All **Senate/House** bills referred pursuant to Senate Rule 31 or House Rule 35(a) to the Committees on Appropriations and Finance/Ways and Means must be reported out by the last of those committees on or before **Friday, March 20, 2020**, and filed with the Secretary/Clerk so they may be placed on the Calendar for Notice the next legislative day.

**Note:** The Senate will not act on bills that do not meet these crossover deadlines, without the consent of the Senate Rules Committee.

**Exceptions to the foregoing deadlines include the major money bills (the general Appropriations bill (“The Big Bill”), the Transportation Capital bill, the Capital Construction bill and the Fee/Revenue bills.**